

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

AMETHYST K. CALDWELL

Plaintiffs,

vs.

WALMART INC.

Defendant.

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NOTICE OF REMOVAL FROM
THE CIRCUIT COURT FOR
BALTIMORE COUNTY, MD
CASE NO. C-03-CV-22-000671

CIVIL ACTION NO. _____

PETITION FOR REMOVAL

Pursuant to 28 U.S.C., Section 1441(a), the Defendant, Walmart, Inc., notices the removal of the above-captioned matter to this Honorable Court from the Circuit Court for Baltimore County, Maryland, and as grounds therefor states as follows:

1. On or about June 14, 2022, Defendant was served with a Summons and Complaint in an action commenced by the Plaintiff, Amethyst K. Caldwell, in the Circuit Court for Baltimore County, Maryland as Docket No. C-03-CV-22-000671. A copy of the Summons and Complaint are attached hereto as "Exhibit A."

2. This Petition for Removal is filed within thirty (30) days of receipt of service by Defendant and, therefore, is timely filed pursuant to 28 U.S.C. section 1446(b).

3. On or about June 17, 2022, Defendant filed an Entry of Appearance and an Answer to Plaintiff's Complaint. True and correct copies of the Defendants' Entry of Appearance and Answer are attached hereto as "Exhibits B." No other proceedings have taken place in this matter.

4. Pursuant to the Federal Rules of Civil Procedure, the Petitioner is filing a Notice of Removal in the Circuit Court for Baltimore County on June 17, 2022. A copy of Defendant's Notice of Removal is attached hereto and incorporated by reference as "Exhibit C."

5. In his Complaint, Plaintiff seeks judgment against Defendant in an amount in excess of Seventy-Five Thousand Dollars (\$75,000) in compensatory damages, plus interest and costs.

6. Pursuant to 28 U.S.C. §§ 1441 and 1332, complete diversity of citizenship is established as follows:

a. At the time of commencement of this action, Plaintiff was a resident of the state of Maryland.

b. At the time of commencement of this action, and at all other times relevant to the subject proceeding, Defendant's principal place of business is Bentonville, Arkansas, and is incorporated in the State of Delaware.

7. As this is a civil action wherein the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Honorable Court has diversity of jurisdiction over this matter pursuant to 28 U.S.C., § 1332.

8. By reason of the foregoing, removal is proper pursuant to 28 U.S.C. § 1441.

9. Petitioner will pay the filing fee, as required by law.

WHEREFORE, the Defendant, Walmart, Inc., respectfully requests to remove this action from the Circuit Court for Baltimore County, Maryland to the United States District Court for the District of Maryland.

Respectfully submitted,

DeCARO, DORAN, SICILIANO,
GALLAGHER & DeBLASIS, LLP

/s/ Lauren N. Rutkowski

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Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 2022, a copy of the foregoing Petition
for Removal was served via electronic case filing, to:

Timothy M. Gunning, Esquire
John M. McGraw, Esquire
Wyatt & Gunning LLC
100 W. Pennsylvania Avenue, Suite 10
Towson, Maryland 21204
Counsel for Plaintiff

/s/ Lauren N. Rutkowski

Lauren N. Rutkowski